



# City Council Agenda

Council President  
**Henry T. Perea**

Councilmembers

**Brian Calhoun, Ph.D.**  
**Mike Dages**  
**Jerry Duncan**

**Cynthia Sterling**  
**Larry Westerlund**  
**Blong Xiong – Acting President**

City Manager  
**Andrew T. Souza**

City Clerk  
**Rebecca E. Klisch, CMC**

City Attorney  
**James C. Sanchez**

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 621-7650.

The City Council welcomes you to this meeting.

## May 8, 2007

### 8:30 A.M. ROLL CALL

Invocation by Pastor McGensy from Family Community Church

Pledge of Allegiance to the Flag

The agenda is available on ([www.fresno.gov](http://www.fresno.gov)). The Council meeting can also be heard live at the same web site address, and viewed live on Cable Channel 96 from 8:30 a.m. and re-played beginning at 8:00 p.m.  
**PROCESS:** For each matter considered by the Council there will first be a staff presentation followed by a presentation from the involved individuals, if present. Testimony from those in attendance will then be taken. All testimony will be limited to three minutes per person. If you would like to speak fill out a Speaker Request Form available from the City Clerk's Office and in the Council Chambers. The three lights on the podium next to the microphone will indicate the amount of time remaining for the speaker.

The green light on the podium will be turned on when the speaker begins. The yellow light will come on with one minute remaining. The speaker should be completing the testimony by the time the red light comes on and tones sound, indicating that time has expired. A countdown of time remaining to speak is also displayed on the large screen behind the Council dais.

Following is a general schedule of items for Council consideration and action. The City Council may consider and act on an agenda item in any order it deems appropriate. Actual timed items may be heard later but not before the time set on agenda. Persons interested in an item listed on the agenda are advised to be present throughout the meeting to ensure their presence when the item is called.

## **Ceremonial Presentations:**

Proclamation of "Be Kind to Animals Week" and presentation of SPCA Pet of the Month – Mayor Autry and Councilmember Duncan

### **Read and presented**

Proclamation of "Older Americans Month" – Councilmember Sterling

### **Read and presented**

Recognition of Economic Development Department for Awards Received – Council President Perea & Mayor Autry

### **Read**

Appearance by Parker, the Fresno Grizzly Mascot, promoting City of Fresno evening at the Grizzlies scheduled for June 1st

**Laid over to 5/15/07**

Approve minutes of May 1, 2007

**Action Taken:** **Approved as submitted**

Approve minutes of April 30, 2007 special session of the Central California Joint Powers Health Financing Authority

**Action Taken:** **Accepted**

Councilmember Reports and Comments

**Action Taken:** **See minutes**

Approve Agenda

**Action Taken:** **Items 1B and 1H removed, agenda approved as amended**

Adopt Consent Calendar

**Action Taken:** **Adopted as amended above**

## **1. CONSENT CALENDAR**

All Consent Calendar items are considered to be routine and will be treated as one agenda item. The Consent Calendar will be enacted by one motion. Public comment on the Consent Calendar is limited to three (3) minutes per speaker. There will be no separate discussion of these items unless requested by a Councilmember, in which event the item will be removed from the Consent Calendar and will be considered immediately following.

- A. \* [Approval of a Joint Powers Agreement between the City of Fresno and County Supervisors of California\(CSAC\) regarding excess workers' compensation insurance – Personnel Services](#)

**Action Taken:** Recommendation approved

- B. \* [Award a contract to Graham Pruett, Inc, for \\$120,138.50, re-roof Holmes Neighborhood Park \(ReBid\) – General Services Department](#)

**Action Taken:** Removed from agenda

- C. \* [Approve agreement with Everge Group of Texas, LTD. in the amount of \\$539,008 to provide professional consulting services to upgrade the Peoplesoft Human Resources/Payroll Applications and implementation of self service applications- Information Services Department](#)

**Action Taken:** Recommendation approved

- D. [\*\*RESOLUTION\*\* - Approving the summary vacation of a portion of a public utility easement located in Parcel Map No. 2002-13 on the east side of Cedar Avenue between Dakota Avenue and Hampton Way \(\*\*Property located in Council District 4\*\*\) – Public Works Department](#)

**Action Taken:** Resolution No. 2007-172 adopted

## **CONSENT CALENDAR CONTINUED**

- E. \* [Approve substitution of subcontractor for the Fresno Yosemite International Airport office remodel, airport public safety office relocation; Project ID No. AC00178 – Public Works Department](#)  
**Action Taken:** Recommendation approved
- F. [\*\*RESOLUTION\*\* - Approving the Final Map of Tract No. 5477 accepting dedicated public uses therein; authorize the Public Works Director, Public Utilities Director and Planning and Development Director to execute the necessary documents \(\*\*Property located in Council District 5\*\*\) – Planning and Development Department](#)  
**Action Taken:** Resolution No. 2007-173 adopted
- G. \* [Approve lease agreement with the North Central Fire Protection District of the use of Fire Station No. 45, located at 7285 W Shields Avenue – Fire Department](#)  
**Action Taken:** Recommendation approved
- H. [Authorization to proceed with the formation of a Utility Advisory Committee – Department of Public Utilities](#)  
**Action Taken:** Removed from agenda
- I. \* [Award a contract in the amount of \\$244,802 to Granite Construction Company for the installation of street infrastructure in No Neighborhood Left Behind Area 58 \(\*\*Property located in Council District No.\*\*](#)  
**Action Taken:** Awarded as recommended

## **SCHEDULED COUNCIL HEARINGS AND MATTERS**

- 9:00 A.M.      A.      **SCHEDULED COMMUNICATION –**  
                         1.      Appearance by William R. Milton Sr. – regarding the need for water meters  
   **Appearance made**
- B.      **UNSCHEDULED COMMUNICATION –** Members of the public may address the Council regarding items that are not listed on the agenda and within the subject matter jurisdiction of the Council. Each person is limited to a three (3) minute presentation. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least ten (10) days prior to the desired date. Council action on unscheduled items, if any, shall be limited to referring the item to staff for a report and possible scheduling on a future Council agenda

## 9:30 A.M.      **GENERAL ADMINISTRATION**

- A. \* [Approve a development agreement with Lennar Fresno, Inc. to construct a water treatment and storage tank facility in Southeast Fresno and reimburse Lennar Fresno, Inc. for costs for environmental services, design and construction. the current FY06-07 budget retains \\$5,672,100 for this project; the total project cost is estimated to be \\$6,190,000](#)  
**Action Taken:** Recommendation approved
- B. \* [\*\*RESOLUTION\*\* - Authorizing the issuance, sale and delivery of City of Fresno Airport Revenue Bonds, Taxable Series 2007 Bonds, authorizing the execution and delivery of a first supplemental indenture, bond purchase contract, continuing disclosure certificate, financial guaranty agreement, official statement and related documents, and authorizing certain other actions and the execution of certain other documents in connection therewith](#)  
**Action Taken:** Resolution No. 2007-174 adopted

**SCHEDULED COUNCIL HEARINGS AND MATTERS CONTINUE**

**10:00 A.M.** [\*\*BILL \(For Introduction\) AND PUBLIC HEARING\*\* - Text Amendment Application No. TA-06-04, and environmental findings, initiated by the Planning and Development Department Director, amending the text of the Fresno Municipal Code \(Zoning Ordinance\). The proposed text amendment will amend the "Adult Business" section of the Fresno Municipal Code \(Section 12-306-N-30\) to prohibit new Adult Uses from locating within 1,000 feet of nonconforming single and multiple-family residential dwellings regardless of the zone district in which the residential dwellings are located – Planning and Development Department](#)  
**Action Taken:** Bill No. B-44 introduced, laid over

**10:10 A.M.** **CLOSED SESSION**

**A. CONFERENCE WITH LABOR NEGOTIATOR –**

Government Code Section 54957.6,

1. Case Name: Direction on potential Labor Impacts on proposed Public Safety Joint Powers Agreement for the six bargaining units;
  1. Stationary Engineers Local 39 - Unit 1
  2. Fresno City Employees Association (FCEA) - Unit 3
  3. Fresno Police Officers Association (FPOA Basic) - Unit 4
  4. Fresno Police Officers Association (FPOA Management) - Unit 9
  5. City of Fresno Professional Employees Association (CFPEA) - Unit 13
  6. City of Fresno Management Employees Association (CFMEA) - Unit 14

**Action Taken:** Held

**B. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION**

Government Code Section 54956.9, subdivision (a)

1. Case Name: Julian Vinton v. City of Fresno (VPT)  
**Action Taken:** Held
2. Case Name: *City of Fresno v. RAPS FRESNO, LLC* (CMH)  
**Action Taken:** Cont. to 5/15/07
3. Case Name: *City of Fresno v. Board of Trustees of the California State University, et al.* - Superior Court Case No. 07CECG01148 (**Oral Report Only**)  
**Action Taken:** Held

**11:00 A.M.** [Council discussion and direction regarding establishing a policy or ordinance changes to prohibit individuals or entities with code violations in the City of Fresno from receiving property based public incentives from the City of Fresno or Redevelopment Agency \(RDA\). – Councilmembers Calhoun and Duncan.](#)  
**Action Taken:** RDA Exec. Dir. And City Mgr. directed to return in 60 days w/ordinance as listed

**2:00 P.M.** Presentation of FY 2007-2008 Budget – Mayor Autry  
**Presented**

## SCHEDULED COUNCIL HEARINGS AND MATTERS

<b>May 9(Wed)</b>	<b>2:00 P.M.</b>	Presentation of Employee Service Awards ( <b><i>Reception immediately following – 2<sup>nd</sup> floor foyer</i></b> )
<b>May 15 –</b>	<b>10:00 A.M.#1</b>	<b>Hearing</b> to rename the tennis court at the Roeding Tennis Center( <b>Continued to June 5 @ 10:00 A.M.</b> )
<b>May 15 –</b>	<b>10:00 A.M.#2</b>	<b>Hearing</b> re: to consider Rezone Appl. No. R-07-11, filed by the City of Fresno
<b>May 15 -</b>	<b>10:00 A.M.#3</b>	<b>Hearing</b> re: to consider the “Island Lakes” Condominium Conversion Application
<b>May 15 -</b>	<b>10:15 A.M.</b>	<b>Hearing</b> re: to consider Rezone Appl. No. R-07-005, filed by Francisco Valderrama
<b>May 15 -</b>	<b>10:30 A.M.</b>	<b>Hearing</b> re: Annexing Final Tract No. 5730, Annexation No. 17 to CFD No. 11
<b>May 15 -</b>	<b>10:45 A.M.</b>	<b>Hearing</b> re: Santa Clara Estates ( <b><i>Redevelopment Agency</i></b> )
<b>May 15 -</b>	<b>2:15 P.M.</b>	Consideration of Street Name Change Appl. No. SNC-07-01
<b>May 15 -</b>	<b>2:30 P.M.</b>	Presentation of State Bonding Opportunities – City Managers Office
<b>May 22 -</b>		<b>No meeting</b>
<b>May 25(Fri)</b>	<b>8:30A.M.</b>	<b>Public hearing</b> on FY 07-08 Budget
<b>May 29 -</b>		<b>No meeting – Memorial Day</b>
<b>May 31(Thurs)</b>	<b>8:30 A.M.</b>	Consideration of FY 07-08 Budget
<b>June 5 -</b>	<b>9:50 A.M.</b>	<b>Hearing</b> re: to consider Rezone Appl. No R-07-09, filed by Claude Saiz Jr.
<b>June 5 -</b>	<b>10:00 A.M.</b>	<b>Continued Hearing</b> to rename the tennis court at the Roeding Tennis Center
<b>June 5 -</b>	<b>10:00 A.M.</b>	Continued consideration of FY 07-08 Budget (May be heard later)
<b>June 7(Thurs)</b>	<b>8:30 A.M.</b>	Continued consideration of FY 07-08 Budget
<b>June 12 -</b>	<b>10:00 A.M.</b>	Continued consideration of FY 07-08 Budget (May be heard later)
<b>June 19 -</b>	<b>10:00 A.M.</b>	Continued consideration of FY 07-08 Budget (May be heard later)
<b>June 26 –</b>	<b>10:00A.M.</b>	<b>Hearing</b> re: to consider formation of Underground Utility District FRE-85
<b>July 3 -</b>		<b>No Meeting – Council Vacation</b>
<b>July 10 -</b>		<b>No Meeting - Council Vacation</b>